



The hearing was scheduled for October 3, 1985 at the Board's headquarters in Concord, New Hampshire with all parties represented.

RULINGS OF LAW

During the course of the re-hearing, the Association argued that since the PELRB was bound by the Watson case, in short that the method of termination is a mandatory subject of bargaining, then so should be the "method of evaluation". Insofar as the "method" involves procedures to directly evaluate individual employees, which procedures will clearly effect the individual "conditions of employment", the PELRB concurs with the Association that these procedures, which effect the "conditions of employment", are indeed mandatory subjects of negotiations.

Insofar as the Laconia School Board seeks to make a decision adopting a policy of evaluation stipulating their concerns for employee performance that decision per se is not of itself a mandatory subject of negotiation but rather is a reserved management prerogative.

However, insofar as procedures and/or "methods" of implementation are adopted, these procedures and/or methods will effect the "conditions of employment" encompassed and foreseen by the act and are therefore themselves mandatory subjects of negotiation. In short, the PELRB continues to draw the distinction between the adoption of policy and the necessary adoption of correlate of procedures and/or methods which are mandatory subjects of negotiation since they will of their very nature interfere with and change the conditions of employment.

DECISION AND ORDER

The PELRB reconfirms its decision and order in its 84-78 decision with the above clarification and orders the parties to negotiate those procedures and/or methods of implementing the policy of evaluation of support personnel.

  
ROBERT E. CRAIG, CHAIRMAN

Signed this 25th day of October, 1985.

By unanimous vote. Chairman Robert E. Craig presiding. Members Seymour Osman, Richard Roulx and James Anderson present and voting. Also present, Executive Director Evelyn C. LeBrun.